

REMARKS

The Official Action mailed April 15, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 15, 2003. Accordingly, the Applicants respectfully submits that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on September 24, 2001, and January 25, 2002.

The Applicants note the *partial* consideration of the IDS's filed on August 21, 2001 and January 13, 2003. Regarding the IDS filed August 21, 2001, the '637 application was not considered by the Examiner. Regarding the IDS filed January 13, 2003, a signed form 1449 for the IDS was enclosed with the Official Action, but the references were not initialed. The Applicants respectfully submit that the above-referenced IDS's fully comply with 37 CFR 1.98 and should be considered by the Examiner. Accordingly, the Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 submitted August 21, 2001, and January 13, 2003, evidencing consideration of the IDS.

As a supplement to the IDS filed January 25, 2002, the Applicants submit the cover page of Helen et al., "Reproducible High Field Effect Mobility Polysilicon Thin Film Transistors Involved Pulsed Nd:YVO₄ Laser Crystallization," pp. 297-300, 1999, IEDM 0-7803-5410-9/99 IEEE, which shows that the publication of the Helen reference was December 5-8, 1999.

The Applicants await consideration of the IDS filed on March 21, 2003.

A further IDS is submitted herewith and careful review and consideration of this IDS is requested.

Claims 1-45 were pending in the present application. Claims 1, 3, 6, 9, 10, 12, 13, 15, 18, 21, 22, 24, 25, 27, 28, 30, 31, 33 and 37 have been amended to correct minor typographical and grammatical errors. Claims 34-36 and 40-45 have been canceled. Claims 1-33 and 37-39 are now pending in the present application, of which claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 37 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance.

The Official Action provisionally rejects claims 1, 4, 7, 10, 13, 16, 19 and 22 under the doctrine of obviousness-type double patenting over claims 12, 22 and 26 of copending Application No. 09/942,922, claims 25-30 of copending Application No. 09/842,797, and claims 23, 27, 31, 35 and 39 of co-pending Application No. 09/774,637. In response, the Applicants respectfully request that the double patenting rejection be held in abeyance until an indication of allowable subject matter is made in either the present application or the copending applications. At such time, the Applicants will respond to any remaining double patenting rejections.

The Official Action rejects claim 37 under 35 U.S.C. §112, second paragraph, noting that the phrase "the harmonic of the YVO₄ laser" lacks antecedent basis. In response, the Applicants have amended claim 37 to recite that the harmonic of the solid laser has a shape which has an aspect ratio of 10 or more. The Applicants respectfully submit that claim 37 is definite as amended. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 are in order and respectfully requested.

The Official Action rejects claims 1-3, 5-9 and 11-24 as anticipated by Helen. In response, as noted above, the Applicants herewith submit the cover page of the Helen reference to confirm that the publication date of Helen is December 5-8, 1999. The present application claims foreign priority to September 3, 1999. Since Helen was published after the foreign priority date of the present application, Helen is not available as a prior art reference. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(a) are in order and respectfully requested.

The Official Action rejects claims 34 and 37 as anticipated by U.S. Patent No. 5,803,965 to Yoon. It appears that the Official Action mistakenly includes "Helen et al." (see the page 4, line 18, Paper No. 10). It also appears that the Official Action intends to include dependent claims 35, 36, 38 and 39 in the anticipation rejection (page 5, Id.).

With respect to claims 34-36, the Applicants have canceled the claims.

With respect to claims 37-39, the Applicants respectfully submit that an anticipation rejection cannot be maintained against independent claim 37 of the present invention, as amended. Yoon does not teach all the elements of independent claim 37, either explicitly or inherently. Specifically, Yoon does not teach the aspect ratio of a

laser, much less that a harmonic of a solid laser has a shape which has an aspect ratio of 10 or more. Since Yoon does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(a) are in order and respectfully requested.


The Official Action rejects claims 40-45 as obvious based on Yoon. In response, the Applicants have canceled claims 40-45.

The Official Action rejects claims 4 and 10 as obvious based on the combination of Helen and U.S. Patent No. 6,088,370 to Owa et al. As noted above, Helen is not available as a prior art reference. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Applicants note that claims 25-33 have not been formally rejected. It is respectfully submitted that claims 25-33 are allowable.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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